

## **Student Activity Funds – Fees (Interpretation)**

Tennessee Code Annotated (TCA) is our State law. As such, all other local laws, State Board Rules and Regs, the Internal Uniform Accounting Policy Manual, and any local Board policies must comply with TCA.

### **TCA 49-6-3001**

(a) The public schools shall be free to all persons above the age of five (5) ...

### **TCA 49-2-110 (c)**

The school shall not require any student to pay a fee to the school for any purpose, except as authorized by the board of education, and no fees or tuitions shall be required of any student as a condition of attending the public school, or using its equipment while receiving educational training.

**Interpretation:** Students may not be forced to pay a fee or educationally restricted in the event that they refuse to pay a fee charged by the school.

Internal School Uniform Accounting Policy Manual Section 1, Title 4, General Principals

1. Since Tennessee public schools are referred to as being “free” (Section 49-6-3001, TCA), money raised by students must be used to finance normal and legitimate extracurricular activities.

**Interpretation:** Money “raised” by students is intended to indicate student activity funds secured through donations or fund-raising events. This is not intended to refer to fees.

### **What is a fee?**

State Board Rules and Regs. 0520-1-3-.03 Part 14 c.

Defines school fees as:

1. Fees for activities that occur during regular school hours, including field trips, and portion of which fall within the school day;
2. Fees for activities and supplies required to participate in all courses offered for credit or grade, including interscholastic athletics and marching band if taken for credit in accordance with local board policies;
3. Fees or tuition applicable to courses taken for credit or grade during the summer by a student; except that non-resident students regularly enrolled in another school system may be required to pay fees or tuition for such summer courses;

4. Fees required for graduation ceremonies;
5. Fees for a copy of the student's record; and
6. Refundable security deposits collected by a school for use of school property for courses offered for credit or grade, including interscholastic athletics and marching band if taken for credit in accordance with local board policies.

**Part 14 d:** School fees do not include the following, which must be paid by every student if incurred:

1. Fines imposed on all students for late-returned library books; parking or other traffic fines imposed for abuse of parking privileges on school property; or reasonable charges for lost or destroyed textbooks, library books, workbooks, or any other property of the school:
2. Debts incurred pursuant to Rule 0520-1-3-.03(13), Withholding of Student Grades for Debts Owed to the School;
3. Refundable security deposits collected by a school for use of school property for participation in extracurricular activities;
4. Costs for extracurricular activities occurring outside the regular school day including sports, optional trips, clubs or social events; and
5. Non-resident tuition charged of all students attending a school system other than the one serving their place of residence.

Rule 0520-1-3-.03(13)

Withholding of Student Grades for Debts Owed to the School.

- (a) Local education agencies are authorized to withhold all grade cards, diplomas, certificates of progress or transcripts of a student who has taken property which belongs to a local education agency, or has incurred a debt to a school, until such student makes restitution in full.
- (b) No student shall be sanctioned under the provisions of this rule when the student is deemed to be without fault for the debt owed to the local education agency or the school.
- (c) Local education agencies shall afford the student and/or the student's parent the opportunity to appear and be heard if such student and/or the parent disputes the debt, the amount of the debt, or the application of sanctions.